

MILITIA FAILS TO RESPOND IN CALL TO ARMS

116 Enlisted Men in Texas
Guard Refuse to Obey
Order.

NOT A SINGLE STATE FORCE MUSTERED IN

WASHINGTON, May 20.—Reports to the War Department from Gen. Funston indicate almost a complete fall down on the part of the National Guard organizations of Texas, Arizona and New Mexico in responding to the call by the President for service with the regular army along the border.

Summoned to the colors on May 9, not a single organization from any of the three States has been mustered in. Not even the mobilization preparatory to the mustering of the militia into the Federal service has been completed.

An official report from San Antonio states that 116 enlisted men of the Second Regiment, comprising the paper strength of the Texas National Guard, have failed to respond to the call, and although court-martial proceedings will be instituted to punish them in accordance with the law, officials of the War Department declare that beyond the infliction of punishment for failure to respond there is no means of compelling the guardsmen to serve.

In the present emergency, which the mobilization is going on for these three States army officers figure it would require between one and two months to mobilize any considerable number of National Guard organizations from various parts of the country.

Wanted Stronger Guard.
In connection with complaints that have been made to the War Department from citizens of Arizona to the effect that Gen. Funston was leaving the Arizona border unprotected against bandit raids, the general has advised the War Department that although the Arizona guard on paper only amounts to 742 men, many of these have not yet reported for duty.

Although the War Department is declining to make public the contents of the complaint from Gen. Funston, it is available information concerning them to indicate that many of the organizations reporting at the concentration camps are not in the best of condition. It is also stated that despite the issue of equipment to these organizations by the Federal Government under the Dick law, many are reporting without a sufficient number of uniforms, rifles and other equipment.

In 1915 the War Department issued equipment to the Arizona National Guard to the value of \$12,472.10, New Mexico, \$14,634, and Texas militia \$26,414, a total to the three States of \$53,520. Moreover, the reports are said to show that the Arizona units carrying out that portion of the law which, in requiring the Federal Government to furnish the equipment to the States are not in the best of condition, also required it to compensate the States for the use of this equipment when the militia is mustered into the regular service in time of emergency.

Must Lower Bars.
In consequence of the poor turnout of the guardsmen, it is said, the physical examination standards in many instances will have to be relaxed in order not to deplete entirely the ranks of the organizations responding to the call. On the other hand, it is stated, to make up the deficiencies in numerical strength already existing the gaps will have to be filled by raw recruits.

In the case of the 116 Texans who have failed to respond to the reason given is their unwillingness to subscribe to the Federal service when told that they would be required to serve in the field for the full period of their State enlistments.

Although the law provides that in such cases the Federal authorities have the right to convene courts-martial, it was explained at the War Department that the personnel of these courts would have to be made up of State militia officers.

From present indications, Gen. Funston is understood to have reported, it will be at least the middle of next week before the guardsmen can be fully mustered into the regular service. This delay is regarded as inexcusable in view of the fact, learned to-night, that the adjutant general of these three States had ten days advance notice to prepare for a call by the President and for months before that had received intimations that such a call might come.

To what extent the delay has interfered with Gen. Funston's plans for a redistribution of his forces along the border, officials here decline to indicate. Confirmation was lacking at the War Department from Columbus that Col. Sibley's expedition, which went out in pursuit of the Glenn Springs and Boquilla raiders had been ordered back across the line by Funston.

It was explained, however, that Gen. Funston had full authority to take such steps without further instructions from Washington.

Secretary Baker announced that twenty additional motor truck cars have

MEXICANS IN TEXAS PLOT TO LOOT AND KILL, IS BELIEF

Resentment Against Them Intensified in Big Bend Country by the Killing of Rancher Harp—Col. Sibley's Force Not Out Yet.

Marathon, Tex., May 20.—Resentment against the Mexicans in this section of Texas has been intensified by the details of an affair near Ozona, northeast of here, in which Mexican killed George D. Harp.

An order is almost 200 miles from the border the killing must be attributed to "raiders" from Mexico, such as the Glenn Springs and Boquilla incidents, but it established a belief that a number of the bandits from Mexico have penetrated western Texas and are operating in the interior under a secret agreement for the purpose of robbery and murder.

Details of the killing of Harp were told by J. T. Ellis, who accompanied the body to Ozona. Harp left his ranch house Tuesday morning about 8 o'clock, and three hours later George Harrell, owner of the ranch, noticed that the goats two Mexicans had been herding were scattering about the pasture.

When Harp could not be found a searching party was organized. At midnight the missing ranchman's horse was found in a thicket on the Claude Humpstead ranch. From there the trail was easily followed and led toward the Rio Grande. Where the body was found were evidences of a terrific struggle. Under the body was found a .32 caliber pistol. An empty cartridge shell was found near. Around the body were footmarks made by Harp's two rifles.

The body was hardly recognizable, having been badly mutilated. Across the left side was a deep, long wound. A knife blade had been placed in the heart. The right side of the head had been crushed. There were six knife wounds in the back.

The two men suspected of killing Harp were strangers in the Ozona country. One of the men had only been employed the previous Sunday. He had formerly been an officer in the Carranza army. He

been ordered for use along the border and in Mexico.

Enlistment figures made public at the War Department to-day show that in the sixty-five days ended yesterday there had been 30,283 applications for enlistment under the Hay resolution, raising the regular army to war strength, and 7,460 actual recruits.

900 MORE FOR BIG BEND.
Gen. Funston Sends Cavalry to Prevent Raids.
El Paso, Tex., May 20.—Nearly 900 men, comprising all those in the Sixth Cavalry available for duty, were being transferred tonight by train from the Jumbus, N. M., east to the Big Bend country for the duty of protecting the American ranches and settlements south of the Rio Grande.

Two companies of the Twenty-third Infantry, sent out of El Paso a week ago to guard the railroad east of here, were brought back to-day to their regiment south of El Paso. These men were relieved east of here by companies of Coast Artillery.

Military authorities attempted to keep secret the troop movements, although Gen. Funston last night stated that they were contemplating an attempt might be made to blow up the train.

In Juarez to-day Gen. Gavira said that his forces in Chihuahua were in the north and taking the places evacuated by Gen. Pershing. He also asserted that his men at Casas Grandes reported

to him to-day that "large bodies of American troops are passing Casas Grandes on route north."

As Casas Grandes is the most northern base of Gen. Pershing's army in Mexico it is believed this means that additional forces now with the expedition are being sent back to the border.

That the American army is not ready to abandon Mexico entirely was evidenced to-day when Major Elliott, the local deputy quartermaster, advertised that he would receive proposals until May 26 for the purchase by the army of 1,000,000 feet of pounds of mule and a heavy plough to be used behind a traction engine.

Prospective bidders said they supposed the supplies on which bids are asked are to be used in western Chihuahua by Gen. Pershing. They presumed that the plough would be used for road grading along the line of communication south of Chihuahua.

Major Elliott declined to say to what purposes the material was to be put.

We are fast perfecting our arrangements for the protection of the border with adequate military force, of the entire State of Chihuahua," said Gen. Gavira in Juarez to-day. "Until recently," he said, "the total number of Constitutional soldiers in the State of Chihuahua amounted to 7,000 men. Gen. Trevino now has his headquarters in the city of Chihuahua and additional forces amounting to 10,000 men have been sent to this State, which brings the total troops under his command to 17,000."

Sixth Cavalry will be placed in garrison and on patrol duty covering the entire border from the State line of Coahuila across Chihuahua to the Sonora

line. With this number of men we will be in a position to promptly restore and maintain order over the entire State.

"With our limited railway facilities we are slowly improving our train service. Much improvement, however, remains to be done. Today we sent a special train and crew out over the line of the Mexico Northwestern Railway with instructions to pick up and bring into Juarez the five locomotives along that line. We will put them into the shops and get them in condition to move trains."

Gen. Gavira said he had replied to a message from Jose Luis Balasar, who it was reported by the commander of the de facto soldiers at Casas Grandes asked for terms under which he might surrender and receive amnesty, that if Balasar will come to Juarez and unconditionally lay down his arms he will be granted amnesty.

Canuto Reyes, the Villista leader at Turcon, has surrendered unconditionally to the de facto Government, according to a message received from Gen. Trevino.

Marion Fletcher, American Consul at Chihuahua, who came to El Paso several days ago under orders from the State Department, received instructions to-day to proceed to Washington, where he will report on conditions in his district in Mexico. It is now reported that the other American Consuls mentioned in Washington dispatches as coming here for a meeting, will all go to Washington instead.

BORDER SHOOTING UNSOLVED.
Discharged Shells in Sergeant's Gun Not Found.
El Paso, Tex., May 20.—Funeral service for Sgt. Harry Furman of the machine gun company of the Twenty-third Infantry, who was killed Thursday afternoon on "the island" on Mexican territory by a main river guard, said to have been S. Callardo, was held this afternoon. Chaplain Horace A. Cheever of the Twenty-third Infantry conducted it.

The body was taken to the Union Station, accompanied by a guard of honor of the members of the machine gun company of the Twenty-third Infantry, to be sent to Brooklyn.

A report of the investigation conducted by Capt. Graham and Major Moore had been filed with Gen. Bell and Gen. Funston. The fact that no shells discharged by the gun carried by the young soldier could be found is regarded as significant by American authorities.

P. W. Berkshire, United States Immigration Inspector, said to-day that his information from line rider S. E. Brackett was to the effect that Brackett saw Mexicans fire three shots near some docks houses on the island, but that he did not see the object the Mexicans were shooting at.

Gen. Bell said to-night that no definite conclusion had been reached regarding the sergeant's death. "Nobody will ever know the facts in the case," he said.

Gen. Gavira said in Juarez: "We have finished our investigation of the unfortunate incident, which I will communicate. The naked facts are that it was a personal, individual fight between an armed and mounted United States soldier and a Mexican ranger on Mexican soil, each of whom was acting under the light as he personally saw it."

Eight Refugees Here.
The tank steamer Standard, which arrived yesterday from Tampico and Tuxtepec, brought eight American refugees from Tampico who had been sent to this country by the American Consul because of threatening conditions in that section of Mexico.

They were four women and four children, whose ages ranged from 4 to 7 years. No other vessel was in the vicinity and the Consul, deeming it imperative to get them out of the country, threatened on Thursday that if he intended to interfere with the Government phase of the police investigation

he would tear the whole story wide open. Well, we haven't interfered with any investigation that interests the Government. We have gone along carefully and conservatively and in that sense we are in the same manner. We made sure of our ground always before we went ahead. I don't think we have made any mistake.

As I understand it our information from the Government has been that the local affairs and did not care what we did as to the activities of the police in this wire tapping system, but we heard Mr. Woods because I was so insistent.

This wire tapping as a feature of police work officially recognized as such by the head of the Police Department is new to me. I do not believe, as Senator Thompson thinks, it has gone on to such an extent as this for twenty years. I have been knocking around on police matters for twenty years and never heard of anything so general and widespread as the system seems to have become. We all recognize that the police are supposed to get evidence wherever, whenever they can. You call as to the fellow drunk when he has no lawyer to advise him and get evidence that way, or listen to a man conferring with his clergyman.

Whenever you attempt to instruct a policeman along ethical lines you are attempting the impossible. He does not understand what you mean. He just tell him to get evidence, and he gets it any way he can. But certainly it is a comparatively new thing to obtain the evidence in the officially recognized manner of wire tapping now in vogue in the Police Department.

Letter to Judge Swann.
When Frederick Seymour was told yesterday that Judge Swann said his refusal to make a complaint implied that he ratified Burns' act he replied that he could see no grounds upon which the District Attorney could base such a conclusion. Mr. Seymour has not found any of his letter files missing. The letters which Judge Swann produced, he said, were obtained from the Humboldt Fibre Company through the Morgan firm. Mr. Seymour sent the following letter to Judge Swann:

DEAR SIR: You are reported to have said that the investigation yesterday had developed that the men (referring to people in this office) had represented themselves as agents of Morgan & Co. in doing business with Humboldt Fibre Company.

I am sure you had no intention of putting the wrong construction upon the correspondence file, which was in your hands yesterday, by reference to which you will find that the first suggestion that any one in this office had ever represented themselves as confidential agents of J. P. Morgan came from Mr. C. T. Jarrell in his letter of March 22, 1916, after he had assumed the position of disputing his commission agreement.

To bear out his suggestion he quotes a telegram from this office as follows: "Your telegram tenth satisfactory. Am negotiating with Prindle of J. P. Morgan & Co. thirteen cents. The additional one-quarter cent going to party for introduction. Negotiations may continue direct with you."

This telegram, upon which Mr. Jarrell relies to support his assertion, seems subject to a contrary construction. And he adds "if you are acting or have acted as confidential representative of J. P. Morgan & Co. we would be glad if you would so state to us."

The reply to this letter commenced with the clause:

"At the outset I must take issue with you on the statement that it was ever understood that we were confi-

SWANN ASSERTS SEYMOUR CONDONED WIRE TAPPING

Continued from First Page.

Ding" said the Senator, "makes me sick. The thing is just this: If I were in the office of Seymour & Seymour because J. P. Morgan & Co. employed him to do it. The police made a tap of the Seymour wire because J. P. Morgan wanted it. The Mayor is overexcited and in his overexcitement he is telling a lot of things that haven't happened. I haven't had any warning from the United States Government. The only warning I received was from the Mayor himself. I refused to issue a statement saying the Seymour tapping was justified and when they threatened to pounce I told them to go ahead."

"We won't call the Mayor. If he isn't satisfied with his position and wants to involve himself deeper he is welcome and the committee will hear him. Certain officials say that the publicity has spoiled the Government's plans. Then why I should like to know, do they keep spoiling them by publicity? I am not. The whole wire tapping incident seems to me to be up to the District Attorney. I have not said anything that he did not desire to press a charge against Mr. Burns, thereby at least by implication appearing to ratify his act. Mr. Seymour is the only man who can lodge a complaint."

"It was evident to any one who visited the offices of Frank Moss yesterday, however, that the committee's counsel is not of the same mind as the committee's chairman about the committee being through with the wire tapping inquiry. Mr. Moss said the committee had no definite plans for tomorrow and that he did not know whether or not the Mayor would testify on Tuesday."

Are Going Ahead, Says Moss.
But the committee's counsel was then busy inquiring into the facts of the recent charities investigation wire tapping, apparently preparing for the calling of other wire tapping witnesses this coming week. Mr. Moss said upon the subject:

We are not through with our investigation of the practice of wire tapping. We will continue as various leads develop. It is entirely within reason that we will conduct an investigation into the wire tapping developed in Brooklyn this week when a policeman testified he had tapped 10,000 wires during the last eight years.

That other other sources we will probably learn just to what extent the police make application to tap telephone wires and what wires they tap with normal application.

We do not consider ourselves obliged to call Mayor Mitchell by reason of any understanding arrived at the other day. The Mayor, fumed and threatened on Thursday that if he intended to interfere with the Government phase of the police investigation

he would tear the whole story wide open. Well, we haven't interfered with any investigation that interests the Government. We have gone along carefully and conservatively and in that sense we are in the same manner. We made sure of our ground always before we went ahead. I don't think we have made any mistake.

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The reply to this letter commenced with the clause:

"At the outset I must take issue with you on the statement that it was ever understood that we were confi-

dent representatives of J. P. Morgan & Co. We never so represented or so intimated in any way, directly or indirectly, and we were in fact not representatives of J. P. Morgan & Co. confidential or otherwise, and the correspondence clearly shows it."

I assume that you will take the first opportunity to correct the erroneous impression given in your interview.

Yours very truly,
FREDERICK SEYMOUR.

The committee will resume its sessions to-morrow morning at 11 o'clock.

WIRES TAPPED: THREE HELD.
Police After "Listening In" Arrest
Trio of Alleged Bookmakers.
George A. Hawes, a florist, of 95 Kenilworth place, and Edward Hilliger, a real estate operator, of East Fourth street, Flatbush, and Harry Horax of 379 Howard avenue, East New York, were held for trial in the Court of Special Sessions yesterday charged with bookmaking and the complaints of Detectives Brown and Daly of the Fifteenth inspection district and McClun and Kiefer of the Tenth district, who obtained the evidence in each case by wire tapping methods.

Brown and Daly "listened in" on Hawes' telephone and allege that they heard conversations between "Pete and

George" about placing bets on horses at the Jamaica track. Hawes and Hilliger were arrested in the flower shop and the detectives say that Hawes admitted that he had taken the bets and that Hilliger recorded them and that they were getting a 5 per cent commission from the man from Harlem whose name was not disclosed.

The two Flatbush men were arraigned before Magistrate Nauman and held in \$500 bail for the Court of Special Sessions.

Bay Held for Breaking Safe Open.
MONTCLAIR, N. J., May 20.—James Squamato, a New York City man, was arraigned to-day before Recorder Voor on the charge of opening a safe in the office of John Hart and was held in \$500 bail for the Court of Special Sessions. The boy told the police that he became the combination of the safe by observing the clerk opening it when he delivered his papers.

Greenhut's Preparedness Sale

News About Staple Cottons Is Not Cheerful

Here is the trade note extracted from the "New York American" of May 16th:

"The sharp rise in raw cotton during the past week caused staple cotton goods manufacturers to consider further upward revisions on forward contracts. Mills are reluctant about accepting orders."

35c 17-inch Hemstitched Day-lies, each	25c	Turkish Wash Cloths—Monday
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50c 17x27-inch Hemstitched Tray Cloths, each	35c	Table Linen—70-inch Bleached
80c 17x45-inch Hemstitched Scarfs, each	59c	All Linen Irish Table Damask, choice patterns, manufacturer's price \$1.10. Sale, yard
\$1 17x52-inch Hemstitched Scarfs, each	69c	Irish Pattern Damask Cloths
\$1 30x30-inch Hemstitched Shams, each	69c	Finest qualities of Bleached All Linen Damask Cloth, each
Hemstitched Damask Luncheon Cloths—42 & 52 inch double damask small figured patterns. Values \$2.50 and \$3. Sale, each	\$1.39 & \$1.95	Blankets—3000 Single Blankets for camp or bungalow. Single Grey Cotton Camp Blanket—size for cot and single beds, each
Towels—500 doz. odd Towels; large size hemmed huck towels; Bleached Turkish towels. Values to 15c. Sale, each	11c	Grey (Single) Pair Wool Blanket—regular price \$2.65. Sale, each
Towelings—Bleached Union Linen Crash Toweling; Irish Checked Glass Toweling; Bleached Domestic Kitchen Toweling; Unbleached Crash Toweling. Bargains at original prices of 12½c and 15c. Sale, yd.	10c	Khaki All Wool Camping Blanket—Monday only, each \$3.95
Scalloped and Hemstitched Luncheon Cloths—They are 70 inches long, made of fine mercerized cotton damask, originally priced \$1 each value. 500 of these Cloths to go for the amazing price of (each)	79c	Bed Pillows—500 size 17x25 covered with fancy art ticking filled with clean, new feathers. Sale, each
		Hemstitched Pillow Cases—200 doz. spoke-stitched bleached muslin cases; 2 sizes. Former prices up to 29c. Sale, each
		Bed Sheets—Single, 3/4 and full size bed sheets; consisting of a large assortment of fine bleached muslin sheets. Choice of any size. Each

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